

# Congress of the United States

## Washington, DC 20515

January 26, 2023

The Honorable Denis R. McDonough  
Secretary  
U.S. Department of Veterans Affairs  
810 Vermont Ave. N.W.  
Washington, DC 20420

Dear Secretary McDonough,

It has come to our attention that the U.S. Department of Veteran Affairs (VA) failed to protect employees, medical students and volunteers' personally identifiable information, including medical history, specifically relating to COVID-19 vaccination status.<sup>1</sup> Information relating to approximately 500,000 employees, medical students, and volunteers' vaccination status and reasons for requested exemptions was sent to the senior leadership of the Veterans Health Administration without following proper protocols. This negligence allowed employees' vaccination status to be accessed through SharePoint with no password protection by hundreds of individuals who may have then shared the data with others. The VA does not know exactly how many people ultimately had access to this data and may still have a copy.<sup>2</sup> The privacy violations first occurred in October of 2021, and it appears that under your leadership, the Department did everything in its power to keep this from becoming public knowledge. This is yet another outrageous failure by the VA that will have lasting consequences.

As the Department's website states, the VA is tasked with providing "veterans the world-class benefits and services they have earned – and to do so by adhering to the highest standards of compassion, commitment, excellence, professionalism, integrity, accountability, and stewardship."<sup>3</sup> Unfortunately, instead of prioritizing this mission, the focus has been on enacting a radical, woke agenda for the VA. This is a great disservice to our veterans and an abuse of taxpayer dollars that fund VA operations. Under your leadership, the VA seems more concerned with providing "gender-affirming care" and abortion counseling than providing proper service-related treatment to our veterans and ensuring that basic operations run smoothly. By neglecting the VA's core mission, it is no surprise that the Department would be so careless as to violate the Privacy Act rights of 500,000 of your employees, medical students, and volunteers.

In response to the incident, Jessica Bonjorni, Chief Human Capital Management of the Veterans Health Administration, said "[u]pon internal review, the VA agrees that the information contained in these documents should not have been placed on SharePoint without appropriate access permissions and this incident resulted in the inadvertent or unauthorized transmissions or disclosure of sensitive personal information."<sup>4</sup> While it was good to see the VA finally acknowledge its mistake, we are very concerned that this information could still lead to employees being unfairly discriminated against based on vaccination status. We are also troubled that employees who requested a religious exemption to the

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<sup>1</sup> <https://www.fedscoop.com/va-admits-to-improperly-disclosing-covid-19-vaccine-data-for-500000-of-its-employees/>

<sup>2</sup> <https://www.federaltimes.com/management/hr/2022/11/23/veterans-affairs-dept-discloses-breach-of-employee-vaccine-data/>

<sup>3</sup> [https://www.va.gov/ABOUT\\_VA/index.asp](https://www.va.gov/ABOUT_VA/index.asp)

<sup>4</sup> <https://www.beckershospitalreview.com/cybersecurity/va-failed-to-protect-500-000-employees-covid-19-vaccination-data.html>

mandate could potentially be punished for their religious beliefs. What steps are you taking to ensure this does not happen? Why was this monumental mistake hidden for so long? Moreover, what steps are you taking to guarantee this type of improper disclosure does not occur in the future? And, what about those who requested the exemption for medical purposes? Could they now be targeted by our adversaries? We don't know where that information went or who has access to it.

This failure would never have happened if the VA had not mandated the COVID-19 vaccine for employees. The decision at the time was based on politics and not reputable science or veterans' interests. It has since become more evident that the COVID-19 vaccination is not very effective in preventing transmission of the virus and that natural immunity is more effective in many cases.<sup>5</sup> Our nation is currently facing a shortage of qualified medical personnel, making your threat to punish qualified staff, at the expense of veterans and taxpayers, even more egregious. The VA's COVID-19 vaccine mandate must end. As Secretary, you must do everything in your power to safeguard employees who had their personally identifiable information and religious convictions so carelessly handled.

It is time to stop politicizing the VA and instead focus on ensuring our veterans receive the world-class benefits and services they have earned. We look forward to your reply.

Sincerely,



Matt Rosendale  
Member of Congress



Matt Gaetz  
Member of Congress



Andy Biggs  
Member of Congress



Mary E. Miller  
Member of Congress



Eric Burlison  
Member of Congress



Barry Moore  
Member of Congress

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<sup>5</sup> <https://www.nejm.org/doi/full/10.1056/NEJMoa2118946>